

FILED
U.S. DIST. COURT
SAVANNAH DIV

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
SAVANNAH DIVISION

FEB 26 3 04 PM '01

CLERK *B. J. [Signature]*
SO. DIST. OF GA.

FREDERICK GORHAM
(MOVANT)

)
)
) CASE NO: CV 400-276
)
)

vs.

UNITED STATES OF AMERICA
(RESPONDENT)

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SUPPLEMENT TO MOTION FOR SUMMARY JUDGEMENT
POURSUANT TO FED. RULE PROC. 15(a)

Comes Now, Frederick Gorham (hereinafter Movant) to show this court the following:

1. That Movant filed his original Motion for Summary Judgement on February 20, 2001.
2. That Movant had **not** received any response from the Government to comply with this Court's order of January 9, 2001, (see Attachment "A") of original Motion for Summary Judgement.
3. That on February 21, 2001, Movant **did** receive the Government's response that was filed in this court on February 14, 2001.
4. Since the Government received a copy of Movant's Motion to Supplement his original §2255 Motion on January 23, 2001, (see Attachment "C") of Movant's original Motion for Summary Judgement.
5. To be in compliance with this Court's order of January 9, 2001, the latest the Government had to file their response was February 12, 2001.
6. The fact that their response was **not** filed timely and in fact failed to comply with this Court's order of January 9, 2001, they are precluded from making **any** response to the Supplemental §2255 Motion filed by Movant.


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WHEREFORE, the Movant prays this Honorable Court for the following relief:

1. To find the Government in contempt of court for failure to obey its order of January 9, 2001 timely.
2. To grant all the relief prayed for in the Supplemental §2255 Motion and the original Summary Judgement Motion.
3. For any and all further relief this Honorable Court deems just and proper.

Signed this 28th day of February 2001.

Respectfully submitted,


Frederick Gorham, Pro-Se
#09593-021
Federal Medical Center
P.O. Box 1600
Butner, NC 27509

PLEA FOR LIBERAL CONSIDERATION

Movant Gorham respectfully moves the Honorable Court to GRANT all liberal considerations with respect to this action pursuant to HAINES v. KERNER, 4040 U.S. 519, 30 L. Ed. 2d 652, 92 S.Ct. 594, as Movant is not an attorney and has not attended any law school, nor has any professional training with respect to the filing of legal pleadings.

Respectfully submitted,


Frederick Gorham

#09593-021

Federal Medical Center

P.O. Box 1600

Butner, NC 27509

CERTIFICATE OF SERVICE

I, **Frederick Gorham**, swear I have deposited into the U.S. Postal box at Federal Medical Center Butner, N.C., copies of the enclosed Motion for the below named party:

Mr. Carlton Bourne
Assistance U.S. Attorney
100 Bull Street, Suite 201
Savannah, GA 31401

This 2nd day of February 2001.

I also request a stamped filed copy be sent to me in the self addressed stamped envelope enclosed herein.

Respectfully submitted,



Frederick Gorham
#09593-021
Federal Medical Center
P.O. Box 1600
Butner, NC 27509